LAUGHARNE CORPORATION

In existence since the 13th Century, Laugharne Corporation was the municipal authority of the township until 1873. Today it continues as a charity, upholding ancient traditions and benefitting the residents of the small West Wales Township

HISTORY

WHEN, WHY AND BY WHOM WAS LAUGHARNE GRANTED ITS CHARTER?

Laugharne changed from being a village - like its neighbours - into being a township when it received its Royal Charter. This was created by Sir Guy de Brian and received royal assent from the King. The generally accepted view is that Laugharne received its Charter in 1290 and that it was granted by Sir Guy as an act of charity to gain eternal salvation. However, the Charter itself is not dated and there is a curiosity to find out just when it was granted and perhaps to understand why it was granted.

EV Williams MA (Jesus College Oxford) was Portreeve during 1942/43 and wrote what is to date the most detailed account of the history of the Corporation. His researches lead him to suggest the date of the Charter was1307 although he also acknowledged that an earlier date might be possible.

The de Brian family

In trying to understand the situation one of the first difficulties has always been in deciphering the genealogy of the de Bryan family. This is due to their unhelpful habit of calling several generations by the same name – Guy. I should mention at this point that there are various ways in which the name can be spelt, as spelling was not consistent during that period. I prefer de Bryan because this is also the spelling used for Tor Bryan in Devon and Haselbury Bryan in Dorset, both of which were estates granted to the same de Bryan family.

1120 - 1180
Guido de Brionne was mentioned as a vassal (a holder of lands by grant) in Devon

1150 – 1210
Wido de Brionne

1180 – 1244
William de Bryan is described as the Lord of Laugharne Castle before and after it was taken and occupied by Llewelyn ap Iowerth.

1215 – 1268
Guy de Bryan (1) – Lord of Torbryan and of Laugharne

1251 – 1307
Guy de Bryan (2) – born at Walwyns Castle, Pembrokeshire

1280 – 1349
Guy de Bryan (3) – born at Walwyns Castle, Pembrokeshire

1311 – 1390
Guy de Bryan (4) – this is the one who became High Admiral of the Fleet and whose coat of arms appears on the Calais chest holding the peace treaty with the French

From the above it can be appreciated how difficult it is to decide who did what and when. I hope they will forgive me if I refer to them as Guy 1, Guy 2 and so on. This has no historical significance but is less confusing than vague references to Guy the younger, Guy minor or whatever.

The case for 1290

If Laugharne was granted its Charter in 1290, then this would have been done by Guy 2. In 1290 he would have been a man of 39 years old with a son (Guy 3) of 10 years old. The witnesses to the Charter included Thomas de la Roche (1250 – 1314) Walter Malenfant, who was one of the family from Kidwelly Castle and William and Geoffrey de Caunville both from Pembrokeshire.

The date seems to work and there are also two potentially compelling reasons why the Charter might have been granted in 1290. Both of these require an understanding of the feudal system of land tenure prevailing at the time.

Under the Normans, all lands belonged to the King. He granted lands to nobles in return for the provision of knights, services at court and so on. The nobles granted lands to knights and vassals in return for services and they in turn granted to people further down the social order.

This vast pyramid with the king at the top was not without its problems. For a start, if the King needed to wage war he could never be sure how many knights and soldiers were going to be available at any one time and they were certainly not a uniform fighting force. For sheer convenience, most kings resorted to hiring mercenaries – but this took money.

The way the King raised money was two-fold: one by collecting money instead of services from his tenants and secondly by collecting taxes for the 're-grant' of land to a successor on the death of a tenant – a kind of death duty or inheritance tax. In theory this should have worked, but one major problem was that the lines down the 'pyramid' began to break down.

To take an example, Lord A might grant lands to Knight B who in turn might grant shares to Humble C. But if Knight B died without a will, it meant Lord A could not collect any dues directly from Humble C, D, E and so forth as these were held as being owed to Knight B, now deceased.

In an effort to bring some order to the system and eliminate the backlog of litigation arising in the courts, King Edward I introduced the *Quia Emptores*. This said that the new holder of any land – i.e. Knight B's successor – would still remain liable for the feudal dues.

For Lords such as Guy 2 this stepped up the pressure to maintain accurate and consistent feudal dues to the Crown. However, by granting a Charter to the people of Laugharne, it meant that a single Corporation, rather than various individuals would remain liable for feudal dues – vastly simplifying his own administrative burden.

A further consideration might have been the fact that Laugharne remained a strategic target for destruction by Welsh Princes – Guy was 5 years old when it had last been destroyed by Llewelyn ap Gryfydd – and perhaps he felt if people had a greater personal stake in the town they might be more committed to its future defence. The date *Quia Emptores* was introduced? 1290.

Another problem for the King was that some people would grant some of their lands to the Church. Ostensibly this was a means of earning salvation for their immortal souls but the arrangement potentially had a second, more worldly, advantage. If land was granted to the Church then it was granted to God and as God is eternal there was never an opportunity to collect 'death duties' on the succession from one holder of the land to another.

Now whilst not all grants to the Church would have been a cynical avoidance of 'death duties' there was a sufficient incidence of collusion between land holders and Church men that it was a contributing factor in Henry VIII's dissolution of the monasteries some 300 years later.

Back in the 13th Century Edward I made an attempt to tackle the problem by issuing the *Statute of Mortmain*. This said that no estate could be granted to a corporation without assent of the King.

Although aimed at the Church it would presumably also have meant that *any* grant of land to any corporation – such as Laugharne – after this date would require Royal assent. For Guy 2 he might have felt that in such a turbulent part of the world, it was prudent to grant the Charter before it became necessary to seek Royal approval. The date the final *Statute of Mortmain* was introduced was, coincidentally, 1290.

The case for 1307

EV Williams suggested that 1307 was the correct date for the Charter as this was the date when Guy 2 died and was succeeded by Guy 3. Perhaps his views were influenced by the fact that wills at this time were normally made on the death bed. It would have been unusual to make a will in advance.

The case against 1307 is that some reports suggest Guy 2 became mentally ill in the years before his death. In this situation perhaps it was unlikely that his will was made at the time of his death. Alternatively, and this is purely speculation, perhaps the will was actually made in 1290 – to avoid the new laws mentioned previously – but like today, was only implemented on the death of the grantor. This would be an equitable solution as it would make both dates 'correct'.

It is worth remembering however that the grant of the Charter did not have to be part of a will and could simply have been made during Guy 2's lifetime because it suited or pleased him to do so.

Suggestions that witnesses to the Charter were already dead by 1307 so the earlier date must be correct must surely be treated with circumspection. Some witnesses, such as Thomas de Roche were still alive in 1307 and it has proved difficult to determine the dates when others died.

A case for an earlier date

There has been speculation that the Charter was granted at some time before 1290. The fact that it is undated and carries no seal *could* point to an earlier date – or perhaps it was an attempt to circumnavigate the legislation of 1290 by simply *implying* the Charter was of an earlier date.

One fact in particular that points towards an earlier date lies in the opening paragraph of the Charter. This says "Let all of you know that we have granted to our beloved and faithful burgesses of Thalacharn, for us and for our heirs and our successors, whoever they may be, all the good laws and customs that the burgesses of Carmarthen have up to now used and enjoyed in the time of King John, the grandfather of the Lord Edward, the son of Henry, and their predecessors, kings of England; preserving the weights and measures that were in the time of Guido de Brione, the elder."

Why would the Charter refer to the Lord Edward and not King Edward? Edward ascended the throne in 1272 so, even had the Charter's date been deliberately confused, it would still have been possible to imply a pre-1290 date whilst referring to him as King Edward. Given the precision with which the allocation of lands is detailed in the Charter, it seems unlikely that this opening preamble was simply a drafting error.

If the Charter was indeed granted before Edward became King in 1272, it could reasonably have been at any time between 1265 and 1270. This was the period when Edward was in Wales working to strengthen control over the Welsh Princes and extend the influence of English Law and Administration on behalf of his father. At this time he could have been described as the Lord Edward without risk of offence to the Crown.

In 1265 Guy 2 would only have been 14 years old but three years later in 1268, his father Guy 1 died (aged 53). This event would have given rise to the payment of the 'death duties' mentioned previously – unless, of course, the lands had already been granted to a Corporation of the people of Laugharne. A Charter of 1268 would be late enough to warrant mentioning the Lord Edward but not so late as to describe him as King Edward. A Charter drafted when Guy 1 was on his death bed might also explain why it did not show his signature or carry his seal.

The rents and dues would still have passed to Guy 2, but the Charter would have avoided the payment of 'death duties.' If or when new records come to light then these may be able to confirm the date.